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To: Microsoft ATR
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Subject: Comment on AntiTrust settlement

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Gentlemen:

It's my understanding that you are accepting comments regarding the Microsoft Antitrust Settlement. Please allow me to express my thoughts on the matter.

I have been both a personal and professional user of a variety of computer systems for over twenty years now, and have tried to remain informed on the various issues in both a technical and an economic sense. I now find that there may be a political element involved here, as well.

It has been a cause of growing concern for me over the past few years that the almost overwhelming coopting of especially the desktop market by Microsoft is has been so uncritically accepted as a fact of life. I'm concerned because such dominance of such a vitally important area by a single corporate entity cannot possibly be considered beneficial, and could easily lead to abuses. I'm reminded of the situation regarding Standard Oil that originally led to the institution of the antitrust statutes: a single organization that could impose its corporate will into the marketplace. A comparable situation would be a single manufacturer of automobiles being able to dominate the transportation field. Even where other modes of transport still existed such as busses and trains (compare the niche operating systems in the computer world such as gnu/linux and OS/2), such an all-powerful entity could in short order specify that only a single brand of gasoline could be used in its engines, and that its cars could only be driven on approved highways. Such restrictive control on the major means of transportation would effectively place an iron lock control on virtually every avenue of commerce involving the moving of people and goods. One corporation would exert more effective power than the Congress of the U.S. and the President combined!

This is hardly an exaggerated example. Just such a situation is being foreshadowed by the dominance of the Microsoft-owned Windows OS in many areas, such as internet commerce, communications and the replacement of broadcast entertainment channels with restricted computer-centric avenues. Just as we need a competitive environment among automobile manufacturers, we need a competitive situation in the i-commerce world we are fast moving into. Otherwise a single entity will become the gateway through which all commerce passes. Not only will they be able to impose whatever fees they wish, but they would also be able to subtly (or not so subtly) restrict access by any persons or companies deemed, perhaps, unsuitable.

How can an unrestricted Redmond monolith impose its will in this brave new world? Well, consider just for a single example Microsoft's recent election to abandon support of third-part plug-ins in their Internet Explorer browser, which has an overwhelming dominance in the market. In a single sweeping move, they have effectively excluded dozens of what were to this moment industry-standard technologies for the presentation of content such as sound, movies, animation and 3-D. These are technologies developed by non-Microsoft companies, which are in many ways far superior to the mechanisms Redmond is offering, including such media as Apple Quicktime movies, Real Audio and Video, Macromedia Flash, and even Adobe Portable Document Format. All these technologies will no longer function the moment IE is upgraded with the latest servicepack from Microsoft, which simply breaks them (and for no good reason other than it's a handy way to gently move people toward MS's own versions).

Suppose in future years Microsoft elects to stop supporting standard networking protocols in favor of its own propriety versions, which it might easily advertise as "more secure." The existing infrastructure of the computer world would be upset in an instant and a huge percentage of existing systems would instantly become obsoleted and

unuseable. By unilaterally dismissing a well-established technology as "no longer suitable" for use with its operating systems, Microsoft would cause millions of consumers to be immediately disenfranchised until they were prepared (both intellectually and financially) to accommodate the edict of the month. The impact on the already faltering economy of the country would be devastating (not to mention the devastation caused by the sudden spike in solid waste disposal of obsolete equipment!). By allowing Microsoft to continue its monopoly position unchecked, the DoJ is making such a scenario an unavoidable economic disaster.

In addition, in now re-coding existing and proven technologies so they will continue to work in their upgraded versions, a proprietary protocol known as "Active-X" must be used. This protocol is dangerously unsecure in that it can easily conceal viruses and other dangerous code that will allow a variety of unpleasant or even destructive things to be secretly encoded into innocent-looking movies, sound files and animations by vandals, crackers and even terrorists bent on destroying computer systems. In the IT field, it is a well-established fact that Microsoft software is excessively vulnerable to this kind of secret tampering (both due to its inherent weaknesses and to the fact that it is so prevalent in the marketplace). It also means that these third-party plug-ins will now have to work through yet another layer of code, which will slow them down and make them appear to be less efficient than their Microsoft counterparts, even in those cases where they are inherently faster and superior (again, Quicktime is a perfect example, being a faster and superior mechanism for displaying motion pictures on a computer screen than MS's own Real Media Player).

This will also mean that both new and existing computers that get upgraded will no longer be able to access many existing internet websites that rely on these tried-and-true technologies, such as JavaScript, the Java language, Quicktime and a host of other languages and protocols which have been adopted over the past ten years. This will instantly exclude a large percentage of the commercial marketplace and the average citizen from participation in the burgeoning i-commerce area, without extensive (and expensive) retooling of their websites and i-commerce engines. Microsoft is effectively using its market domination to impose special controls and requirements on any entities that wish to use the internet, requirements that can very easily be withheld, withdrawn, or excessively charged for in the very near future.

Imagine a commercial marketplace wherein no vendor could market his wares without the sanction of the Redmond giant, who could easily decide that a particular product or service was, for whatever reason, not in the best interests of the economy, the country, or perhaps Microsoft's own monopoly position. It would be akin to saying that only approved people could use American currency for their commercial transactions; all others would need to use the barter system.

With no consideration of such consequences in the recently approved settlement, you are allowing Microsoft not only to successfully extend their operating system monopoly into internet commerce, but also into the realm of the content provider. Not only have they effectively gotten away with breaking the law, in not being called on their moves the Justice Department is setting up the game for them to easily break it again.

Quite simply, it is not an unreasonable projection that within a few years, the average consumer (the kind of person without the smarts to understand how an operating system works and tinker with it) will simply be unable to view any content that Microsoft has not either provided or at least sanctioned with their corporate blessing!

Is this the kind of situation we wish to set up? We are currently

raising enormous security consciousness so we will not once again be blindsided by foreign nationals intent on bringing down our American economic system. Do we really wish to lay the groundwork for this great system to be subverted from within our own shores by a corporate giant with a single goal in mind: to wrest total control over all economic transactions being made using any form of computer, whether on a desktop, in a corporate environment, or using internet connectivity?

In my opinion, we should not. The correct remedies should be to impose reasonable limitations on Microsoft's ability to impose mandates on operating systems, internet communication protocols, and interactivity involving commerce, entertainment and personal productivity softwares. If it is considered not feasible to break up the giant in the same way Standard Oil and AT&T were, there should at least be legally enforceable mandates that Microsoft open up portion of its operating system coding to third-party developers, legally enforceable mandates that they accomodate what is known as "open source" development wherein many people contribute to the improvement of software products for the benefit of all users, and legally enforceable mandates that future upgrades of the Windows operating system continue to accomodate universal standard protocols such as TCP/IP, JavaScript, HTML and XHTML, and others currently being considered by internet oversight organizations and future-looking innovators.

The idea that Microsoft and Microsoft alone should be the sole purveyor of "innovation" is, in the vernacular, bullshit. True innovation has given us the internet as we know it. The kind of innovation that Redmond proposes will just as surely take it away from us and impose the kind of strictures and limitations that lead to stagnation and attrition, while denying the citizens of America (and the rest of the world) the enormous potential benefits of the computer/internet revolution.

As a concerned citizen who has thought long and hard about this matter, I strongly urge the Department of Justice to impose as stringent a set of controls and restrictions upon the Microsoft Corporation as allowed by the law, for the benefit of my fellow citizens of this great country, its own economic security and the continued prosperity of both the United States and the planet Earth.

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